

### **REMARKS**

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1, 13, 26, and 30 have been amended. Claims 1-3, 6-15, 18-21, 26-27, 29-31, and 33 remain in the application.

### **ARGUMENT**

Claims 1-3, 6-15, 18-21, 26-27, 29-31, and 33 are rejected under 35 USC 103(a) as being unpatentable by Omoigui (2005/0086688)(hereinafter Omoigui 688) in view of Omoigui (2004/0111747)(hereinafter Omoigui 747).

Independent claims 1, 13, 26, and 30 have been amended to more particularly recite the present invention. In independent claims 1 and 13, a limitation has been added to the claims to distinguish the present invention from the cited prior art. In particular, the claims now recite that the notification of the event is transmitted over a third **television** channel. This third **television** channel is different than the first and second television channels carrying the first and second programs, respectively. In independent claims 26 and 30, a limitation has been added to recite that the television programs are being received over a first set of **television** channels, and the event notifications are being received over a selected specialized **television** channel not in the first set of **television** channels. **Support for these amendments may be found at page 14, lines 31-33. Addition of this limitation does not result in new matter.**

Neither Omoigui 688 nor Omoigui 747 teaches or suggests that the event notifications are transmitted to the viewer device over a third **television** channel (i.e., *a TV channel other than one being used to communicate currently broadcast TV programs*). Neither Omoigui reference teaches or suggests that such a selected specialized **TV** channel may be used to communicate the event notifications. Instead, Omoigui 747 (relied on by the Examiner for disclosing this limitation) teaches that the third communications channel used for event notifications is either

**e-mail, fax, or pager.** Omogui 747 does not teach or suggest a third TV channel.  
Therefore, independent claims 1, 13, 26, and 30 are allowable as currently presented. Additionally, all claims dependent therefrom are also allowable.

### **CONCLUSION**

In view of the foregoing, Claims 1-3, 6-15, 18-21, 26-27, 29-31, and 33 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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